

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 1:30 P.M. Present: Honorable James A. Ardaiz, Presiding Justice; Honorable Rebecca A. Wiseman, Associate Justice; Honorable Herbert I. Levy, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Nick A. Grigsby, Deputy Clerk.

F026011 People v. Mata

F026898 In re Louis S. Mata Jr., on Habeas Corpus

Cause called and argued by Kenneth H. Nordin, Esq., counsel for appellant and by Virna DePaul Meyers, Esq., Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

F023612 In the Matter of the Estate of Merrill J. Maloney, Deceased, et al.

Cause called and argued by James L. Pagano, Esq., counsel for appellant and by Kathlyn A. Rhodes, Esq., counsel for respondent.

Cause ordered submitted.

Court recessed until Thursday, October 16, 1997 at 10:00 A.M.

F024724 People v. Espinoza

The true finding as to the section 12022.5 enhancement allegation is reversed, and the sentence imposed upon appellant is vacated. The case is remanded to the trial court. If the people do not file and serve, within 30 days after the remittitur is filed in this court, an expression of their desire to retry appellant on the enhancement allegation, the trial court shall dismiss the allegation and resentence appellant. In all other respects, including the conviction of involuntary manslaughter, the judgment is affirmed. Dibiaso, Acting P.J.

We concur: Harris, J.; Buckley, J.

NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

IN THE
Court of Appeal of the State of California

IN AND FOR THE
Fifth Appellate District

F027187 People v. Cherry

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F028742 People v. Yancy

No brief having been filed by appellant after notice duly given under rule 17(c) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F026580 People v. Gama

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F026780 People v. Mendoza

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F026580 People v. Gama

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F028768 In re Desma M., et al. Minors

No brief having been filed by appellant after notice duly given under rule 17(c) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.